Remarks

In the Final Office Action, the Examiner rejected claims 1 - 12 and 21 - 29 under 35 USC § 102(e) as being anticipated by US Patent 5,960,080 (issued Sep. 28, 1999; hereinafter "Fahlman"). The Examiner also rejected claims 13 - 20 under 35 USC § 103(a) as being unpatentable over Fahlman in view of US Patent 4,882,752 (issued Nov. 21, 1989; hereinafter Lindman). Claims 1 – 12 and 21 – 29 have been cancelled so the rejections are moot. The Applicant respectfully traverses the rejections of claims 13 – 20 and submits the following arguments.

Claims 13 - 20

In claim 13, the Applicant recites a method for use in a multi-level secure system for sanitizing a message. The method includes steps of establishing a computer-based sanitization tool for sanitizing messages based on predefined sanitization rules, using the computer-based sanitization tool to receive a message for potential distribution, and operating the computer-based sanitization tool to identify at least first and second potential recipients having first and second security clearances, respectively. For example, some users may be associated with a first security level whereas others are associated with a second security level that do not have access to certain information that the first security level users have.

The method further includes a step of operating the computer-based sanitization tool to sanitize a received message and generate a first sanitized message for transmission to the first potential recipient. The method also includes a step of operating the computer-based sanitization tool for sanitizing the received message to generate a second sanitized message for transmission to the second potential recipient. This second message differs from the first sanitized message in that the first sanitized message contains information that the second potential recipient is not allowed to receive.

As the Examiner stated in his Non Final Office Action, Fahlman does not teach operating a computer-based tool for identifying first and second potential recipients having first and second security clearances, respectively. The Applicant agrees and further notes that Fahlman does not, in fact, teach using the computer-based tool to identify anyone, nor does Fahlman teach operating a computer-based sanitization tool for sanitizing a received message to generate first and second

sanitized messages that differ based on respective first and second security levels. Nor does Fahlman teach first and second sanitized messages.

While Fahlman does not teach generating multiple messages respectively based on multiple security levels, Lindman again certainly adds nothing to Fahlman to teach such features. The Examiner states that "Lindman's security system before any communication takes place clearance at several security levels has to be identified, therefore Lindman teaches identifying first and second security clearance (see column 4, lines 1 - 17)". In column 4, lines 1 - 17, Lindman teaches slave devices that attempt to gain access to a master device. Prior to granting access, the master device determines whether the slave devices have the proper security level to access the master device. Such differs from the Applicant's claims because, among other reasons, the Applicant does not claim devices that access the sanitized message from a master device. Rather, the Applicant claims a computer-based sanitization tool that identifies a potential recipient and sanitizes the message for delivery to that recipient.

As stated in the Applicant's previous response, Lindman teaches computer systems having different security levels that access a main computer through a master security control processor ("SCP"). The SCP acts as a sort of gatekeeper to the main computer to prevent other computers from unauthorized access (see e.g., column 8, lines 24 - 30 of Lindman). This control is based on identification of an accessing computer's security level. Nowhere, however, does Lindman teach identifying sensitive information.

The Applicant again points out to the Examiner that to establish a prima facie case obviousness, the Examiner must show that all of the claim limitations of the Applicant's claims are taught. Additionally, there must be some reasonable suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Finally, there must be a reasonable expectation of success in the combination. The Applicant maintains that Fahlman is deficient not only with respect to what the Examiner states but also because Fahlman does not teach generating first and second sanitized messages. It is clear that Lindman adds nothing to supplement Fahlman's deficiencies as the Examiner suggests. But it is also true that Lindman adds nothing to supplement Fahlman with respect to generating to sanitized messages. Regardless, Lindman provides no teaching or reasonable suggestion to combine with Fahlman.

In the Examiner's Final Office Action, the Examiner stated "[i]n response to Applicant's argument that there is no suggestion to combine the references, the Examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art." The Applicant appreciates that the Examiner is aware of his requirements for establishing obviousness. However, the Examiner did not address the Applicant's arguments that teaching or reasonable suggestion to combine. That is, the Examiner does not suggest where the Applicant may find such a teaching or reasonable suggestion. If it is the Examiner's position that the knowledge is generally available to one of ordinary skill in the art, then the Examiner should take Official Notice. In which case, the Applicant demands proof.

The Applicant reminds the Examiner that the reasons for any adverse action or any objection or requirement will be stated in an Office action and such information or references will be given as may be useful in aiding the Applicant to judge the propriety of continuing the prosecution. Here, the Examiner simply disregarded the Applicant's arguments and restated (i.e., copied and pasted) his rejections of his Non Final Office Action. Such is unequivocally useless in aiding the Applicant to judge the propriety of continuing prosecution. In this regard, the Applicant maintains that Lindman provides no teaching or reasonable suggestion to combine with Fahlman, a reference which is almost 10 years younger. Aside from that, however, the Applicant maintains that Fahlman also does not provide a teaching or reasonable suggestion to combine with Lindman, particularly because the two references are directed towards different fields. For example, Fahlman is directed to message transformation whereas Lindman is directed to computer security. To clarify, Fahlman and Lindman are *non analogous arts*. Because there is no teaching or reasonable suggestion to combine the references and because the references do not teach all of the Applicant's claim elements, Fahlman and Lindman are simply insufficient as prior art references.

The Applicant maintains claim 13 is novel and nonobvious in view of Fahlman and Lindman, either alone or in combination. The Applicant therefore respectfully requests reconsideration and allowance of claim 13. In the alternative, the Applicant respectfully requests a new office action that addresses the Applicant's original arguments since the Examiner failed

to respond to the Applicant's arguments and show where the references teach or reasonably suggest that they may be combined.

Claims 14 - 20 depend from claim 13 and inherit all of the novel and nonobvious features of the independent claim. However, these claims require additional features that further distinguish from the cited references. For example, claim 15 recites that the step of third operating comprises accessing storage including multiple rule sets, using a parameter associated with the first security clearance to select a first rule sets, and applying the selected first rule set with respect to that message to generate a first sanitized message. While Fahlman clearly does not teach such as the Examiner points out, the Examiner states that Lindman does in column 8, lines 65 - 68; column 9, lines 1 - 8; and column 10, lines 16 to 49. The Applicant respectfully disagrees. Here, Lindman teaches that slave devices merely have identification codes that the master SCP compares to stored identification codes so as to grant or deny access to the slave devices. However, Lindman does not teach or reasonably suggest, among other things, selecting or applying a rule set that is associated with a security clearance. As such, Lindman is deficient as a reference. For at least these reasons, claim 15 is novel and nonobvious in view of the cited references. The Applicant, therefore, respectfully requests reconsideration and allowance of claim 15.

In another example of novelty and nonobviousness, claim 19 recites a step of third operating comprising identifying a first format associated with the first potential recipient and converting the first sanitized message into the first format. The Examiner states that Fahlman teaches such in column 3, lines 56 - 60; column 4, lines 64 - 65, and column 5, lines 1 - 17 which merely states "…the sanitized message is transmitted in step 209 to an untrusted service for required service…". Again, the Applicant respectfully disagrees. In particular, the Applicant fails to see how the *transmission* of Fahlman equates to *conversion* of a sanitized message into a first format (e.g., a process of formatting). In any case, Fahlman does not even use the word "format" once in the entire patent. Nor does Lindman teach or reasonably suggest formatting. For at least these reasons, claim 19 is novel and nonobvious in view of the cited references. The Applicant respectfully requests reconsideration and allowance of claim 19.

Similar arguments may also be made for claim 20 because, among other reasons, claim 20 also recites formatting of sanitized messages (e.g., a second format for a third external system,

first and second specification information used in formatting, etc.). Additionally, claim 20 includes accessing storage to obtain the first and second specification information. Again, Fahlman and Lindman do not teach or reasonably suggest, either alone or in combination, formatting, specification information, and/or accessing storage of the Applicant's claims. For at least these reasons, claim 20 is also novel and nonobvious in view of the cited references. The Applicant respectfully requests reconsideration and allowance of claim 20.

Conclusion

Based upon the foregoing, the Applicant believes that all pending claims are in condition for allowance and such disposition is respectfully requested. In the event that a telephone conversation would further prosecution and/or expedite allowance, the Examiner is invited to contact the undersigned.

Respectfully submitted,

MARSH FISCHMANN & BREYFOGLE LLP

By: Gregory T. Fettig
Registration No. 50843
3151 South Vaughn Way, Suite 411
Aurora, Colorado 80014
(720) 562-5509

Date: 21 Dec 05